

**MINUTES**  
**LIVESTOCK FACILITY SITING REVIEW BOARD MEETING**  
**June 30, 2006**  
**Room 106, 2811 Agriculture Drive, Madison, WI**

LFSRB members present were Lee Engelbrecht, Andy Johnson (by phone), Jim Holte, Bob Selk, Bob Topel, and Fran Byerly. DATCP staff present were Cheryl Daniels, Dave Jelinski, Richard Castelnuevo, and Lori Price

**Call to order**

Acting Chair Daniels opened the meeting at 10 a.m. and presented the agenda for approval. Johnson made a motion to approve the agenda, and Holte seconded the motion. The motion passed.

Daniels then presented the May 30, 2006, meeting minutes for approval. Holte requested one correction to page 2, 6<sup>th</sup> paragraph, change "feed" to "feeding." Engelbrecht made a motion to approve the amended minutes, and Selk seconded the motion. The motion passed.

**Review and discussion of proposed bylaws**

Daniels reviewed the changes made at the May 30<sup>th</sup> meeting and asked if there were any questions or comments as each change was reviewed.

Selk suggested the following change to the meeting agendas section (VI.B.1.): change "a shorter interval may permissible" to "is allowed."

Another change was made to the section on distributing board materials (VI.D.2.): change "where size of meeting materials reaches an unmanageable size" to "when impractical." Holte asked what the size of a small case documentation might be. Castelnuevo responded that it may be 100 pages with some of the pages being in color. He suggested the board may want to have a dialogue on what each member's e-mail system can handle and what case paperwork board members actually need to see. Johnson asked what the difference was between press releases the board might send out versus what DATCP might send out in regards to livestock siting. Daniels responded the review board is a separate entity from DATCP and can send out a press release after a case decision is made. The department would send out a press release if a board decision affects a policy or process, particularly when it comes to educating the public on livestock siting. Castelnuevo asked the board members to look at the website, [livestocksiting.wi.gov](http://livestocksiting.wi.gov), to see if they would like to have a stand alone website from the department's website. Daniels also offered to have board letterhead examples done for the members to review.

Daniels then reviewed the changes made to Appendix A, procedures, of the bylaws. The board members discussed if the political subdivision or the LFSRB should notify certain entities that an appeal was received (Section A.3.e.). Castelnuevo suggested that a safety clause should be added at the end of the paragraph to the effect that the lack of notice shall not invalidate the

appeal process. Johnson made a motion to have the board take the responsibility to publish the notice that an appeal was filed. Engelbrecht seconded the motion. The motion passed.

During the discussion on who should provide public notice of the appeal, the board members also discussed receiving the initial appeal and position statements from parties who want to comment on the appeal. Specifically, the board discussed what the board wants to know in the appeal request, that the position statement is not part of the record, the time frame in which an appeal and position statement can be filed, and the lengths of the initial appeal and position statements. The board agreed that the initial appeal and position statements should be no more than 10 pages in length, and the position statements will be accepted within 30 days of the date in the legal notice published by the board. Sentence A.1.f. will now read "a clear and concise statement of the issue or issues and the grounds upon which the aggrieved person is challenging in the decision along with the arguments supporting the grounds" and include a sentence on length and font size of submitted appeal. Section B.3. on statement of position will also change to reflect time limit and page length.

After a lunch break, Daniels continued to review the changes to Appendix A. In the requirement for communications and papers section, the word "Review" will be added to the board's title in the address block. The fax number listed will be replaced with a reference to the board's website address in order to direct the public to further information on filing procedures. At this point, the board members decided to keep its website within the department's website.

Under Section C.3., additional evidence and argument, the word "oral" was added to the first sentence to reflect that no oral arguments could be presented to the board, unless the board found it necessary.

In the final decision section, C.7., Selk requested that "in" be replaced by "to" in order to make the sentence grammatically correct.

After the changes were reviewed and additional changes were made, Topel made a motion to adopt the bylaws as amended. Engelbrecht seconded the motion. The motion passed.

### **Election of officers**

Selk made a motion to nominate Holte as LFSRB Chairperson. Topel seconded the nomination. Holte accepted the nomination, and there were no other nominations. The motion passed.

Selk made a motion to nominate Johnson as LFSRB Vice-Chair. Topel seconded the nomination. Johnson accepted the nomination, and there were no other nominations. The motion passed.

Byerly made a motion to nominate Selk as LFSRB Secretary. Engelbrecht seconded the motion. Selk accepted the nomination, and there were no other nominations. The motion passed.

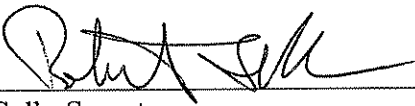
### **Administrative housekeeping**

Castelnuovo encouraged the board members to fill out their travel vouchers and submit them to Lori Price after each meeting. Communicating through e-mail seems to be working well for the board so the department will continue to use e-mail to send information to the board members. There will be no meeting in July because there are no cases for the board to review. The cancellation notice for each meeting will be sent out by the first of the month, and the website will also indicate the meeting was cancelled.

### **Adjourn**

Engelbrecht made a motion to adjourn, and Johnson seconded the motion. The motion passed, and the meeting ended at 1:30 p.m.

Respectfully submitted,

 10-20-06  
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Bob Selk, Secretary Date

Recorder: LP